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<b>(54) Title:</b> METHOD OF INCREASING GROWTH AND YIELD IN PLANTS  <b>(57) Abstract</b>  Provided is a method of producing a genetically modified plant characterized as having increased growth and yield as compared to a corresponding wild-type plant comprising increasing the level of cyclin expression in the plant. The methods include providing a modified nucleic acid regulatory sequence from cycB1a; At resulting in increased gene transcription and expression. Also provided are modified nucleic acid regulatory sequences. Genetically modified plants characterized as having increased growth and yield are also provided.		

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## **METHOD OF INCREASING GROWTH AND YIELD IN PLANTS**

### **Field of the Invention**

The present invention relates generally to plant genetic engineering, and  
5 specifically to a method for producing genetically engineered plants characterized as  
having increased growth and yield.

### **Background of the Invention**

For each plant species, there exists a wide discrepancy in plant growth due to  
10 environmental conditions. Under most conditions, the maximum growth potential of a  
plant is not realized. Plant breeding has demonstrated that a plant's resources can be  
redirected to individual organs to enhance growth.

Genetic engineering of plants, which entails the isolation and manipulation of  
genetic material, *e.g.*, DNA or RNA, and the subsequent introduction of that material into  
15 a plant or plant cells, has changed plant breeding and agriculture considerably over recent  
years. Increased crop food values, higher yields, feed value, reduced production costs,  
pest resistance, stress tolerance, drought resistance, the production of pharmaceuticals,  
chemicals and biological molecules as well as other beneficial traits are all potentially  
achievable through genetic engineering techniques.

20 Plant growth responds to the increased availability of mineral nutrients in the  
soil, but shoot and root growth respond differently. Moreover, a direct relationship  
between mineral nutrient availability and change of growth rate is rarely observed over a  
larger concentration range. This suggest that plant growth is limited materially by  
nutrients required for cell growth as well as by signaling pathways that control the rate of  
25 organ growth for the overall benefit of the plant. Although the components of these  
regulatory pathways have not been identified, they define two distinct avenues to

potentially improve plant growth. It has been shown that enhanced accumulation of cyclin protein under control of the cdc2 promoter suffices to enhance root and overall plant growth under non-limiting conditions on growth media.

Plants rarely grow under optimal conditions. Plant growth can be limited by water availability, mineral nutrients and a short growing season. Drought tolerance in genetic variants of a given species is well correlated with the penetration depth of its root system into the soil. Fertilizers are often not optimally utilized because of insufficiently penetrating root systems. Although the induction of flowering can now be controlled, thereby extending the potential growth range of some important crop species, this does not in itself lead to increased biomass.

The ability to manipulate gene expression provides a means of producing new characteristics in transformed plants. For example, the ability to increase the size of a plant's root system would permit increased nutrient assimilation from the soil. Moreover, the ability to increase leaf growth would increase the capacity of a plant to assimilate solar energy. Obviously, the ability to control the growth of an entire plant, or specific target organs thereof would be very desirable.

### Summary of the Invention

The present invention is based on the discovery that increased growth and yield in plants can be achieved by elevating the level of cyclin expression.

In a first embodiment, the invention provides a method of producing a genetically modified plant characterized as having increased growth and yield as compared to the corresponding wild-type plant. The method includes contacting a plant cell with a nucleic acid sequence comprising a regulatory sequence, wherein said regulatory sequence is operably associated with a nucleic acid encoding a cyclin protein, to obtain a transformed plant cell; producing plants from said transformed plant cell; and selecting a plant exhibiting said increased yield. In particular, the nucleic acid can be a

cyclin gene and the regulatory sequence can be a cyclin gene promoter, such as *cycB1a;At*.

In another embodiment, the invention provides a transformed plant cell or a transformed plant having a nucleic acid sequence having a regulatory sequence of *cycB1a;At* operably linked to a heterologous nucleic acid sequence.

In yet another embodiment, the invention provides an isolated nucleic acid sequence having a functional *cycB1a;At* regulatory sequence. In a particular aspect, the regulatory sequence is the sequence set forth in SEQ ID NO:1.

The invention also provides plants, plant tissue and seeds produced by the methods of the invention.

#### Brief Description of the Drawing

Figure 1 shows steady state levels of *cdc2aAt* mRNA and p34 protein, panel a; *cyc1aAt* mRNA during IAA induction of lateral root meristems, panel b; *cyc1aAt* mRNA in selected non-induced transgenic lines, panel c; normalized transcript levels relative to wild-type are indicated. Col-0, wild-type; 1A2, 2A5, 4A3, 11A1: T2 homozygous; 6A, 7A, 8A: T1 heterozygous transgenic lines.

Figure 2 shows an *in situ* hybridization analysis of *cdc2aAt* and *cyc1aAt* transcripts in root apices and developing lateral roots. Panels a-d show cross sections of quiescent roots (panels a,b) or proliferating cells in primordia (panels c,d) that were hybridized to *cdc2aAt* (a) or *cyc1aAt* (b-d) anti-sense probes. Panels e, f show *cyc1aAt* mRNA abundance in contiguous meristematic cell files in root apices. Transcript accumulation is indicated by silver grain deposition and visualized by indirect red illumination. Scale bar is 10  $\mu$ m in a-d, 5  $\mu$ m in e. fc, founder cell accumulating *cyc1aAt* transcripts; p, pericycle cell layer; r, towards the root apex; s, towards the shoot.

Figure 3 shows increased root growth rate in *Arabidopsis thaliana* (*A.thaliana*) ectopically expressing *cyc1aAt* cyclin. Panel a, Wild-type (left) or transgenic line 6A (T1 generation) containing the *cdc2aAt::cyc1aAt* gene fusion (right). *Arabidopsis*

seed were plated on MS (3% sucrose) agar and grown in a vertical orientation for 7 d. Plants transformed with the vector alone or with unrelated promoter::*uidA* constructs or with a *cdc2aAt::cycl1aAt* fusion in which the *cdc2aAt* 5' untranslated leader was interrupted by a DS transposon insertion did not show this phenotype. Panel *b*, wild-type  
5 (*left*) or transgenic line 6A (T1 generation) (*right*) 6 d after IAA induction of lateral roots. One week-old seedlings grown hydroponically were treated with 10  $\mu$ M IAA<sub>eff</sub> to stimulate lateral root development.

Figure 4 shows aphidicolin (APC) release of the -1148 transformant and the -205 transformant.

10 Figure 5 shows a series of constructs operably linked to *cycl1a* and GUS wherein a series of nested deletions were generated at the 5' end of the *cycB1a*;At regulatory sequence.

Figure 6 shows a Northern blot analysis that shows elevation of endogenous levels of cyclins following treatment of roots with the growth-stimulatory hormone auxin.

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#### **Description of the Preferred Embodiments**

The present invention provides methods for increasing the yield of a plant, such as a agricultural crop, by elevating the cyclin expression level in the plant. Increased cyclin expression in plant cells competent to divide results in increased plant  
20 growth.

In a preferred embodiment, the invention provides a method for producing a genetically modified plant characterized as having increased yield as compared to a plant which has not been genetically modified (*e.g.*, a wild-type plant). The method comprises contacting plant cells with nucleic acid encoding a cyclin protein, wherein the nucleic  
25 acid is operably associated with a regulatory sequence to obtain transformed plant cells; producing plants from the transformed plant cells; and thereafter selecting a plant exhibiting increased growth and yield.

In a further embodiment, the regulatory sequence of the invention is derived from a *cycB1a;At* gene. The regulatory sequence of the *cycB1a;At* gene is approximately 1.2kb in length. However, functional fragments of this regulatory sequence are provided which confer a modified transcriptional activity upon nucleic acid sequence which are  
5 operably linked to the regulatory sequence. By "modified transcriptional activity" is meant transcription of linked sequences above or below wild-type expression of the linked sequence.

As used herein, the term "yield" or "plant yield" refers to increased crop growth, and/or increased biomass. In one embodiment, increased yield results from  
10 increased growth rate and increased root size. In another embodiment, increased yield is derived from shoot growth. In still another embodiment, increased yield is derived from fruit growth.

As used herein, the term "agronomic" includes, but is not limited to, changes in plant yield, growth or root size. Other agronomic properties include insect resistance,  
15 protein production, drought tolerance, and other factors desirable to agricultural production and business.

The term "genetic modification" as used herein refers to the introduction of one or more exogenous nucleic acid sequences, *e.g.*, cyclin encoding sequences, as well as regulatory sequences, into one or more plant cells, which can generate whole, sexually  
20 competent, viable plants. The term "genetically modified" as used herein refers to a plant which has been generated through the aforementioned process. Genetically modified plants of the invention are capable of self-pollinating or cross-pollinating with other plants of the same species so that the foreign gene, carried in the germ line, can be inserted into or bred into agriculturally useful plant varieties. The term "plant cell" as  
25 used herein refers to protoplasts, gamete producing cells, and cells which regenerate into whole plants.

As used herein, the term "plant" refers to either a whole plant, a plant part, a plant cell, or a group of plant cells, such as plant tissue or plant seed. Plantlets are also

included within the meaning of "plant". Plants included in the invention are any plants amenable to transformation techniques, including gymnosperms and angiosperms, both monocotyledons and dicotyledons.

Examples of monocotyledonous angiosperms include, but are not limited to, 5 asparagus, field and sweet corn, barley, wheat, rice, sorghum, onion, pearl millet, rye and oats and other cereal grains. Examples of dicotyledonous angiosperms include, but are not limited to tomato, tobacco, cotton, rapeseed, field beans, soybeans, peppers, lettuce, peas, alfalfa, clover, cole crops or *Brassica oleracea* (e.g., cabbage, broccoli, cauliflower, brussel sprouts), radish, carrot, beets, eggplant, spinach, cucumber, squash, 10 melons, cantaloupe, sunflowers and various ornamentals. Examples of woody species include poplar, pine, sequoia, cedar, oak, etc.

The term "exogenous nucleic acid sequence" as used herein refers to a nucleic acid foreign to the recipient plant host or, native to the host if the native nucleic acid is substantially modified from its original form. For example, the term includes a nucleic acid originating in the host species, where such sequence is operably linked to a promoter 15 that differs from the natural or wild-type promoter. In the broad method of the invention, at least one nucleic acid sequence encoding cyclin is operably linked with a promoter. It may be desirable to introduce more than one copy of cyclin polynucleotide into a plant for enhanced cyclin expression. For example, multiple copies of a cyclin polynucleotide 20 would have the effect of increasing production of cyclin even further in the plant.

The term "regulatory sequence" as used herein refers to a nucleic acid sequence capable of controlling the transcription of an operably associated gene. Therefore, placing a gene under the regulatory control of a promoter or a regulatory element means positioning the gene such that the expression of the gene is controlled by 25 the regulatory sequence(s). In general, promoters are found positioned 5' (upstream) of the genes that they control. Thus, in the construction of promoter gene combinations, the promoter is preferably positioned upstream of the gene and at a distance from the transcription start site that approximates the distance between the promoter and the gene

it controls in the natural setting. As is known in the art, some variation in this distance can be tolerated without loss of promoter function. Similarly, the preferred positioning of a regulatory element, such as an enhancer, with respect to a heterologous gene placed under its control reflects its natural position relative to the structural gene it naturally regulates.

Cyclin-encoding nucleic acids utilized in the present invention include nucleic acids encoding mitotic cyclins such as, for example, cyclin B; nucleic acids encoding S-phase cyclins such as, for example cyclin A, and nucleic acids encoding G1 phase cyclins. Specific cyclins which can be utilized herein include cyc1aAt, cyc3aAt, cyc3bAt, cycB1a; At, cycd1, cycd2 and the like. Preferably, the nucleic acid used in the method of the invention encodes the cyc1aAt protein (Genebank Accession No. X62279).

Genetically modified plants of the present invention are produced by contacting a plant cell with a nucleic acid sequence encoding the desired cyclin. To be effective once introduced into plant cells, the cyclin-encoding nucleic acid must be operably associated with a promoter which is effective in plant cells to cause transcription of the cyclin transgene. Additionally, a polyadenylation sequence or transcription control sequence, also recognized in plant cells, may also be employed. It is preferred that the nucleic acid be introduced via a vector and that the vector harboring the nucleic acid sequence also contain one or more selectable marker genes so that the transformed cells can be selected from non-transformed cells in culture, as described herein.

The term "operably associated" or "operably linked" refers to functional linkage between a regulatory sequence, preferably a promoter sequence, and the cyclin-encoding nucleic acid sequence regulated by the promoter. The operably linked promoter controls the expression of the cyclin nucleic acid sequence.

The expression of cyclin genes employed in the present invention may be driven by a number of promoters. Although the endogenous, or native promoter of a structural gene of interest may be utilized for transcriptional regulation of the gene, preferably, the promoter is a foreign regulatory sequence.

Such regulatory sequences include the *cycB1a;At* regulatory sequence and fragments thereof. Such fragments include sequences about -1148 bases upstream of the transcriptional start site (i.e., -1), as well as sequence from -1 to -60, -1 to -120, -1 to -205, -1 to -286, and -1 to -351. Modified regulatory sequences thus provides a method to  
5 deliver increased levels of a desired gene of interest by modifying, for example, repressor functions and enhancer functions or the regulatory sequence. For example, deletions of the *cycB1a;At* regulatory sequence such that repressor functions are removed can provide a regulatory sequences which results in increased gene expression. Such deletions of the *cycB1a;At* sequence include, but are not limited to, cyclin promoters  
10 deleted to -286 or -205.

When it is desired to increase growth and yield in the whole plant, cyclin expression should be directed to all cells in the plant which are capable of dividing. This can be accomplished by using a promoter active in all meristems. Such promoters include, for example, the *cdc2a* promoter and the *cyc07* promoter. (See for example, Ito  
15 *et al.*, *Plant Mol. Biol.*, 24:863, 1994; Martinez *et al.*, *Proc. Natl. Acad. Sci. USA*, 89:7360, 1992; Medford *et al.*, *Plant Cell*, 3:359, 1991; Terada *et al.*, *Plant Journal*, 3:241, 1993; Wissenbach *et al.*, *Plant Journal*, 4:411, 1993).

When it is desired to increase growth and yield in a specific organ, cyclin expression should be targeted to the appropriate meristem, e.g., the shoot meristem, the  
20 floral meristem, the root meristem etc. This can be accomplished by using a tissue specific promoter. Examples of tissue specific promoters active in shoot meristems are described in Atanassova *et al.*, *Plant Journal*, 2:291, 1992 and Medford *et al.*, *Plant Cell*, 3:359, 1991. Examples of tissue specific promoters active in floral meristems are the promoters of the *agamous* and *apetala 1* genes are described in Bowman *et al.*, *Plant*  
25 *Cell*, 3:749, 1991; and Mandel *et al.*, *Nature*, 360:273, 1992.

The particular promoter selected should be capable of causing sufficient cyclin expression to cause increased yield and/or increased biomass. It should be understood that cyclin expression can be altered in cells that are competent to divide. The promoters

used in the vector constructs of the present invention may be modified, if desired, to affect their control characteristics. For example, deletions from the 5' end of the *cycB1a;At* regulatory sequence increases transcriptional activity.

Optionally, a selectable marker may be associated with the cyclin-encoding  
5 nucleic acid. As used herein, the term "marker" refers to a gene encoding a trait or a phenotype which permits the selection of, or the screening for, a plant or plant cell containing the marker. Preferably, the marker gene is an antibiotic resistance gene whereby the appropriate antibiotic can be used to select for transformed cells from among cells that are not transformed. Examples of suitable selectable markers include adenosine  
10 deaminase, dihydrofolate reductase, hygromycin-B-phosphotransferase, thymidine kinase, xanthine-guanine phospho-ribosyltransferase and amino-glycoside 3'-O-phospho-transferase II. Other suitable markers will be known to those of skill in the art.

To commence a transformation process in accordance with the present invention, it is first necessary to construct a suitable vector and properly introduce it into  
15 the plant cell. Vector(s) employed in the present invention for transformation of a plant cell include a cyclin-encoding nucleic acid sequence operably associated with a promoter, such as *cycB1a;At* or fragments thereof. Details of the construction of vectors utilized herein are known to those skilled in the art of plant genetic engineering.

For plant expression vectors, suitable viral promoters include the 35S RNA  
20 and 19S RNA promoters of CaMV (Brisson, *et al.*, *Nature*, 310:511, 1984; Odell, *et al.*, *Nature*, 313:810, 1985); the full-length transcript promoter from Figwort Mosaic Virus (FMV) (Gowda, *et al.*, *J. Cell Biochem.*, 13D: 301, 1989) and the coat protein promoter to TMV (Takamatsu, *et al.*, *EMBO J.* 6:307, 1987). Alternatively, plant promoters such as the light-inducible promoter from the small subunit of ribulose bis-phosphate  
25 carboxylase (ssRUBISCO) (Coruzzi, *et al.*, *EMBO J.*, 3:1671, 1984; Broglie, *et al.*, *Science*, 224:838, 1984); mannopine synthase promoter (Velten, *et al.*, *EMBO J.*, 3:2723, 1984) nopaline synthase (NOS) and octopine synthase (OCS) promoters (carried on tumor-inducing plasmids of *Agrobacterium tumefaciens*) or heat shock promoters, *e.g.*,

soybean hsp17.5-E or hsp17.3-B (Gurley, *et al.*, *Mol. Cell. Biol.*, 6:559, 1986; Severin, *et al.*, *Plant Mol. Biol.*, 15:827, 1990) may be used.

Promoters useful in the invention include both natural constitutive and inducible promoters as well as engineered promoters. The CaMV promoters are  
5 examples of constitutive promoters. To be most useful, an inducible promoter should 1) provide low expression in the absence of the inducer; 2) provide high expression in the presence of the inducer; 3) use an induction scheme that does not interfere with the normal physiology of the plant; and 4) have no effect on the expression of other genes. Examples of inducible promoters useful in plants include those induced by chemical  
10 means, such as the yeast metallothionein promoter which is activated by copper ions (Mett, *et al.*, *Proc. Natl. Acad. Sci., U.S.A.*, 90:4567, 1993); In2-1 and In2-2 regulator sequences which are activated by substituted benzenesulfonamides, *e.g.*, herbicide safeners (Hershey, *et al.*, *Plant Mol. Biol.*, 17:679, 1991); and the GRE regulatory sequences which are induced by glucocorticoids (Schena, *et al.*, *Proc. Natl. Acad. Sci., U.S.A.*, 88:10421, 1991). Other promoters, both constitutive and inducible will be known  
15 to those of skill in the art.

The particular promoter selected should be capable of causing sufficient expression to result in the production of an effective amount of structural gene product, *e.g.*, CDR1 polypeptide to cause increased resistance to plant pathogens. The promoters  
20 used in the vector constructs of the present invention may be modified, if desired, to affect their control characteristics.

Tissue specific promoters may also be utilized in the present invention. An example of a tissue specific promoter is the promoter active in shoot meristems (Atanassova, *et al.*, *Plant J.*, 2:291, 1992). Other tissue specific promoters useful in  
25 transgenic plants, including the *cdc2a* promoter and *cyc07* promoter, will be known to those of skill in the art. (See for example, Ito, *et al.*, *Plant Mol. Biol.*, 24:863, 1994; Martinez, *et al.*, *Proc. Natl. Acad. Sci. USA*, 89:7360, 1992; Medford, *et al.*, *Plant Cell*,

3:359, 1991; Terada, *et al.*, *Plant Journal*, 3:241, 1993; Wissenbach, *et al.*, *Plant Journal*, 4:411, 1993).

There are promoters known which limit expression to particular plant parts or in response to particular stimuli. For example, potato tuber specific promoters, such as  
5 the patatin promoters or the promoters for the large or small subunits of ADPglucose pyrophosphorylase, could be operably associated with CDR1 to provide expression primarily in the tuber and thus, provide resistance to attacks on the tuber, such as by *Erwinia*. A fruit specific promoter would be desirable to impart resistance to *Botrytis* in strawberries or grapes. A root specific promoter would be desirable to obtain expression  
10 of CDR1 in wheat or barley roots to provide resistance to Ggt. One skilled in the art will know of many such plant part-specific promoters which would be useful in the present invention.

Alternatively, the promoters utilized may be selected to confer specific expression of CDR1 in response to fungal infection. The infection of plants by fungal  
15 pathogens activate defense-related or pathogenesis-related (PR) genes which encode (1) enzymes involved in phenylpropanoid metabolism such as phenylalanine ammonia lyase, chalcone synthase, 4-coumarate coA ligase and coumaric acid 4-hydroxylase, (2) proteins that modify plant cell walls such as hydroxyproline-rich glycoproteins, glycine-rich proteins, and peroxidases, (3) enzymes, such as chitinases and glucanases, that degrade  
20 the fungal cell wall, (4) thaumatin-like proteins, or (5) proteins of as yet unknown function. The defense-related or PR genes have been isolated and characterized from a number of plant species. The promoters of these genes may be used to obtain expression of CDR1 in transgenic plants when such plants are challenged with a pathogen, particularly a fungal pathogen such as Pi. The particular promoter selected should be  
25 capable of causing sufficient expression of CDR1 to result in the production of an effective amount of polypeptide.

Promoters used in the nucleic acid constructs of the present invention may be modified, if desired, to affect their control characteristics. For example, the CaMV 35S

promoter may be ligated to the portion of the ssRUBISCO gene that represses the expression of ssRUBISCO in the absence of light, to create a promoter which is active in leaves but not in roots. The resulting chimeric promoter may be used as described herein. For purposes of this description, the phrase "CaMV 35S" promoter thus includes  
5 variations of CaMV 35S promoter, *e.g.*, promoters derived by means of ligation with operator regions, random or controlled mutagenesis, *etc.* Furthermore, the promoters may be altered to contain multiple "enhancer sequences" to assist in elevating gene expression.

Cyclin-encoding nucleic acid sequences utilized in the present invention can be introduced into plant cells using Ti plasmids of *Agrobacterium tumefaciens*  
10 (*A. tumefaciens*), root-inducing (Ri) plasmids of *Agrobacterium rhizogenes* (*A. rhizogenes*), and plant virus vectors. (For reviews of such techniques see, for example, Weissbach & Weissbach, 1988, Methods for Plant Molecular Biology, Academic Press, NY, Section VIII, pp. 421-463; and Grierson & Corey, 1988, Plant Molecular Biology, 2d Ed., Blackie, London, Ch. 7-9, and Horsch *et al.*, *Science*, 227:1229, 1985, both  
15 incorporated herein by reference). In addition to plant transformation vectors derived from the Ti or Ri plasmids of *Agrobacterium*, alternative methods may involve, for example, the use of liposomes, electroporation, chemicals that increase free DNA uptake, transformation using viruses or pollen and the use of microprojection.

One of skill in the art will be able to select an appropriate vector for  
20 introducing the cyclin-encoding nucleic acid sequence in a relatively intact state. Thus, any vector which will produce a plant carrying the introduced cyclin-encoding nucleic acid should be sufficient. Even use of a naked piece of DNA would be expected to confer the properties of this invention, though at low efficiency. The selection of the vector, or whether to use a vector, is typically guided by the method of transformation selected.

25 The transformation of plants in accordance with the invention may be carried out in essentially any of the various ways known to those skilled in the art of plant molecular biology. (See, for example, Methods of Enzymology, Vol. 153, 1987, Wu and Grossman, Eds., Academic Press, incorporated herein by reference). As used herein, the

term "transformation" means alteration of the genotype of a host plant by the introduction of cyclin-nucleic acid sequence.

For example, a cyclin-encoding nucleic acid can be introduced into a plant cell utilizing *A. tumefaciens* containing the Ti plasmid, as mentioned briefly above. In using  
5 an *A. tumefaciens* culture as a transformation vehicle, it is most advantageous to use a non-oncogenic strain of Agrobacterium as the vector carrier so that normal non-oncogenic differentiation of the transformed tissues is possible. It is also preferred that the Agrobacterium harbor a binary Ti plasmid system. Such a binary system comprises  
10 1) a first Ti plasmid having a virulence region essential for the introduction of transfer DNA (T-DNA) into plants, and 2) a chimeric plasmid. The chimeric plasmid contains at least one border region of the T-DNA region of a wild-type Ti plasmid flanking the nucleic acid to be transferred. Binary Ti plasmid systems have been shown effective in the transformation of plant cells (De Framond, *Biotechnology*, 1:262, 1983; Hoekema *et al.*, *Nature*, 303:179, 1983). Such a binary system is preferred because it does not require  
15 integration into the Ti plasmid of *A. tumefaciens*, which is an older methodology.

Methods involving the use of Agrobacterium in transformation according to the present invention include, but are not limited to: 1) co-cultivation of Agrobacterium with cultured isolated protoplasts; 2) transformation of plant cells or tissues with Agrobacterium; or 3) transformation of seeds, apices or meristems with Agrobacterium.

20 In addition, gene transfer can be accomplished by *in planta* transformation by Agrobacterium, as described by Bechtold *et al.*, (*C.R. Acad. Sci. Paris*, 316:1194, 1993) and exemplified in the Examples herein. This approach is based on the vacuum infiltration of a suspension of Agrobacterium cells.

The preferred method of introducing a cyclin-encoding nucleic acid into plant  
25 cells is to infect such plant cells, an explant, a meristem or a seed, with transformed *A. tumefaciens* as described above. Under appropriate conditions known in the art, the transformed plant cells are grown to form shoots, roots, and develop further into plants.

Alternatively, cyclin-encoding nucleic acid can be introduced into a plant cell using mechanical or chemical means. For example, the nucleic acid can be mechanically transferred into the plant cell by microinjection using a micropipette. Alternatively, the nucleic acid may be transferred into the plant cell by using polyethylene glycol which  
5 forms a precipitation complex with genetic material that is taken up by the cell.

Cyclin-encoding nucleic acid can also be introduced into plant cells by electroporation (Fromm *et al.*, *Proc. Natl. Acad. Sci., U.S.A.*, 82:5824, 1985, which is incorporated herein by reference). In this technique, plant protoplasts are electroporated in the presence of vectors or nucleic acids containing the relevant nucleic acid sequences.  
10 Electrical impulses of high field strength reversibly permeabilize membranes allowing the introduction of nucleic acids. Electroporated plant protoplasts reform the cell wall, divide and form a plant callus. Selection of the transformed plant cells with the transformed gene can be accomplished using phenotypic markers as described herein.

Another method for introducing a cyclin-encoding nucleic acid into a plant  
15 cell is high velocity ballistic penetration by small particles with the nucleic acid to be introduced contained either within the matrix of such particles, or on the surface thereof (Klein *et al.*, *Nature* 327:70, 1987). Bombardment transformation methods are also described in Sanford *et al.* (*Techniques* 3:3-16, 1991) and Klein *et al.* (*Bio/Techniques* 10:286, 1992). Although, typically only a single introduction of a new nucleic acid  
20 sequence is required, this method particularly provides for multiple introductions.

Cauliflower mosaic virus (CaMV) may also be used as a vector for introducing nucleic acid into plant cells (US Patent No. 4,407,956). CaMV viral DNA genome is inserted into a parent bacterial plasmid creating a recombinant DNA molecule which can be propagated in bacteria. After cloning, the recombinant plasmid again may  
25 be cloned and further modified by introduction of the desired nucleic acid sequence. The modified viral portion of the recombinant plasmid is then excised from the parent bacterial plasmid, and used to inoculate the plant cells or plants.

As used herein, the term "contacting" refers to any means of introducing a cyclin-encoding nucleic acid into a plant cell, including chemical and physical means as described above. Preferably, contacting refers to introducing the nucleic acid or vector containing the nucleic acid into plant cells (including an explant, a meristem or a seed),  
5 via *A. tumefaciens* transformed with the cyclin-encoding nucleic acid as described above.

Normally, a plant cell is regenerated to obtain a whole plant from the transformation process. The immediate product of the transformation is referred to as a "transgenote". The term "growing" or "regeneration" as used herein means growing a  
10 whole plant from a plant cell, a group of plant cells, a plant part (including seeds), or a plant piece (e.g., from a protoplast, callus, or tissue part).

Regeneration from protoplasts varies from species to species of plants, but generally a suspension of protoplasts is first made. In certain species, embryo formation can then be induced from the protoplast suspension. The culture media will generally  
15 contain various amino acids and hormones, necessary for growth and regeneration. Examples of hormones utilized include auxins and cytokinins. Efficient regeneration will depend on the medium, on the genotype, and on the history of the culture. If these variables are controlled, regeneration is reproducible.

Regeneration also occurs from plant callus, explants, organs or parts.  
20 Transformation can be performed in the context of organ or plant part regeneration. (see *Methods in Enzymology*, Vol. 118 and Klee *et al.*, *Annual Review of Plant Physiology*, 38:467, 1987). Utilizing the leaf disk-transformation-regeneration method of Horsch *et al.*, *Science*, 227:1229, 1985, disks are cultured on selective media, followed by shoot formation in about 2-4 weeks. Shoots that develop are excised from calli and  
25 transplanted to appropriate root-inducing selective medium. Rooted plantlets are transplanted to soil as soon as possible after roots appear. The plantlets can be repotted as required, until reaching maturity.

In vegetatively propagated crops, the mature transgenic plants are propagated by utilizing cuttings or tissue culture techniques to produce multiple identical plants. Selection of desirable transgenes is made and new varieties are obtained and propagated vegetatively for commercial use.

5 In seed propagated crops, mature transgenic plants can be self crossed to produce a homozygous inbred plant. The resulting inbred plant produces seed containing the newly introduced foreign gene(s). These seeds can be grown to produce plants that would produce the selected phenotype, *e.g.* increased yield.

10 Parts obtained from regenerated plant, such as flowers, seeds, leaves, branches, roots, fruit, and the like are included in the invention, provided that these parts comprise plant cells that have been transformed as described. Progeny and variants, and mutants of the regenerated plants are also included within the scope of the invention, provided that these parts comprise the introduced nucleic acid sequences.

15 Plants exhibiting increased growth and/or yield as compared with wild-type plants can be selected by visual observation. The invention includes plants produced by the method of the invention, as well as plant tissue and seeds.

In another embodiment, the invention provides a method of producing a plant characterized as having increased growth and yield by contacting a plant capable of increased yield with a cyclin promoter-inducing amount of an agent which induces cyclin  
20 gene expression. Induction of cyclin gene expression results in production of a plant having increased yield as compared to a plant not contacted with the agent.

A "plant capable of increased yield" refers to a plant that can be induced to express its endogenous cyclin gene to achieve increased yield. The term "promoter inducing amount" refers to that amount of an agent necessary to elevate cyclin gene  
25 expression above cyclin expression in a plant cell not contacted with the agent, by stimulating the endogenous cyclin promoter. For example, a transcription factor or a chemical agent may be used to elevate gene expression from native cyclin promoter, thus inducing the promoter and cyclin gene expression.

The invention also provides a method of providing increased transcription of a nucleic acid sequence in a selected tissue. The method comprises growing a plant having integrated in its genome a nucleic acid construct comprising, an exogenous gene encoding a cyclin protein, said gene operably associated with a tissue specific whereby  
5 transcription of said gene is increased in said selected tissue.

Plant development is plastic with post-embryonic organogenesis mediated by meristems (Steeves and Sussex, *Patterns in Plant Development*, 1-388 (Press Syndicate of the University of Cambridge, Cambridge, 1989)). Although cell division is intrinsic to meristem initiation, maintenance and proliferative growth, the role of the cell cycle in  
10 regulating growth and development is unclear. To address this question, the expression of *cdc2* and cyclin genes, which encode the catalytic and regulatory subunits, respectively, of cyclin-dependent protein kinases controlling cell cycle progression (Murray and Hunt, *The Cell Cycle* (New York), 1993) were examined. Unlike *cdc2*, which is expressed not only in apical meristems but also in quiescent meristems, (Martinez *et al.*, *Proc. Natl.*  
15 *Acad. Sci. USA*, 89:7360, 1992), transcripts of *cycl1aAt* accumulated specifically in active meristems and dividing cells immediately before cytokinesis. Ectopic expression of *cycl1aAt* under control of the *cdc2aAt* promoter in Arabidopsis plants markedly accelerated growth without altering the pattern of development or inducing neoplasia. Thus, cyclin expression is a limiting factor for growth.

20 The above disclosure generally describes the present invention. A more complete understanding can be obtained by reference to the following specific examples which are provided herein for purposes of illustration only and are not intended to limit the scope of the invention.

25

#### EXAMPLE 1

A full length *cycl1aAt* cyclin cDNA was placed under control of the *Arabidopsis cdc2aAt* promoter (Hemerly *et al.*, 1992, *supra*). The chimeric gene was cloned into a T-DNA transformation vector carrying the selection marker hygromycin

phospho-transferase (Hyg<sup>r</sup>) and transformed into *Arabidopsis* using the vacuum-infiltration method (Bechtold and Pelletier, *Acad. Sci. Paris, Life Sci.*, **316**:1194, 1993) to introduce *Agrobacterium tumefaciens*. Several independent transgenic lines having elevated steady-state levels of *cyclaAt* mRNA showed a dramatic increase of both main  
5 and lateral root growth rate, correlated with proportionally increased fresh weight, dry mass and DNA content, but not cell size. Enhanced growth was orderly, with no observed differences in morphology and clearly not neoplastic.

*Arabidopsis* seedlings (ecotype Columbia) were grown in 20 ml MS medium (Murashige and Skoog, *Physiol. Plant.*, **15**:473, 1962). Eight- to 10-day-old plants were  
10 transferred to MS medium buffered with 50 mM potassium phosphate, pH 5.5, and initiation of lateral roots was stimulated by addition of IAA to 10  $\mu\text{M}_{\text{eff}}$  (non-dissociated IAA). Roots were collected at the time points indicated and total RNA and protein isolated. 500 ng poly(A)<sup>+</sup> RNA was separated on 1% formaldehyde gels (Ausubel *et al.*, *Current Protocols in Molecular Biology*, Green Publishing Associates and Wiley-  
15 Interscience, New York, 1987), transferred to Nytran membranes (Schleicher and Schüll) and hybridized to <sup>32</sup>P-labeled probes corresponding to nucleotides (nt) 674-1004 of *cyclaAt* (Hemerly *et al.*, *Proc. Natl. Acad. Sci. USA*, **89**:3295, 1992), or nt 661-1386 of *Arabidopsis cdc2aAt* (Hirayama *et al.*, *Gene*, **105**:159, 1991), followed by hybridization with nt 2576-2824 of *Arabidopsis UBQ3* (Norris *et al.*, *Plant Mol. Biol.*, **21**:895, 1993)  
20 for normalization. Blots were quantified with a Molecular Dynamics Phosphorimager. *cyclaAt* is a single copy gene in *Arabidopsis*. Total protein was separated on 12% SDS-PAGE and transferred to PVDF membranes. p34<sup>*cdc2aAt*</sup> was detected with serum raised in rabbits against the peptide YFKDLGGMP (SEQ ID NO:1), corresponding to amino acids 286-294, and visualized by Enhanced Chemiluminescence Assay (Amersham).

25 Figure 1 shows steady state levels of *cdc2aAt* mRNA and p34 protein, panel a; *cyclaAt* mRNA during IAA induction of lateral root meristems, panel b; *cyclaAt* mRNA in selected non-induced transgenic lines, panel c; normalized transcript levels relative to wild-type are indicated. Col-0, wild-type; 1A2, 2A5, 4A3, 11A1: T2

homozygous; 6A, 7A, 8A: T1 heterozygous transgenic lines. *cyc1aAt* mRNA levels in the lines 4A3, 6A, 7A, 8A, and 3A exceeded those of IAA induced wild-type roots.

The levels of *cdc2* mRNA and p34<sup>cdc2</sup> protein per cell did not markedly change following stimulation of lateral root initiation by the auxin indoleacetic acid (IAA) (Fig. 1, panel a). Hence, while *cdc2* expression is correlated with the competence to divide, root growth and initiation of lateral roots do not appear to be limited by the abundance of the cyclin-dependent protein kinase p34 catalytic subunit and, moreover, ectopic expression of *cdc2* in transgenic Arabidopsis failed to perturb growth or development (Hemerly *et al.*, *EMBO J.*, 14:3925, 1995).

In contrast, IAA treatment of Arabidopsis roots induced the expression of several *cyc* genes from low basal levels and in particular *cyc1aAt* mRNA, which encodes a mitotic cyclin (Hemerly *et al.*, *supra*), exhibited a rapid 15 to 20-fold increase (Fig. 1, panel b).

Figure 2 shows an *in situ* hybridization analysis of *cdc2aAt* and *cyc1aAt* transcripts in root apices and developing lateral roots. Panels a-d show cross sections of quiescent roots (panels a,b) or proliferating cells in primordia (panels c,d) that were hybridized to *cdc2aAt* (a) or *cyc1aAt* (b-d) anti-sense probes. Panels e,f show *cyc1aAt* mRNA abundance in contiguous meristematic cell files in root apices. Transcript accumulation is indicated by silver grain deposition and visualized by indirect red illumination. Scale bar is 10  $\mu$ m in a-d, 5  $\mu$ m in e. fc, founder cell accumulating *cyc1aAt* transcripts; p, pericycle cell layer; r, towards the root apex; s, towards the shoot.

Tissue samples were processed for *in situ* hybridization to examine expression of cyclin transcripts. The samples were treated with 10  $\mu$ M IAA. After 8 or 24 h incubation, radish (*Raphanus sativa* var Scarlet Globe) roots were processed as described (Drews *et al.*, *Cell*, 65:991, 1991). Sections (8  $\mu$ m) were hybridized to a <sup>33</sup>P-labeled RNA probe, corresponding to nt 674-1004 of *cyc1aAt* (Hemerly *et al.*, *supra*) (Fig. 2, panels b-e) or to a <sup>35</sup>S-labeled probe used in a corresponding to nt 661-1386 of *cdc2aAt* (Hirayama *et al.*, *supra*), for 14 h at 48 °C in 50% formamide. After hybridization, the final washes

were for 1 h at 58°C in 0.015 m NaCl and slides were then exposed for 3 weeks (*cyclAAt*) or 5d (*cdc2aAt*). After developing, silver grains were illuminated laterally with red light, specimens were visualized by phase contrast and double exposures were taken on FUJI Velvia film. Images were assembled in ADOBE Photoshop. For the analysis  
5 summarized in Fig. 2, panel *f*, silver grains were counted and cell size measured in the cell file shown in Fig. 2, panel *e*.

*In situ* hybridization showed that, unlike *cdc2*, *cyclAAt* transcripts were not detected in quiescent pericycle cells, but accumulated in single, cytoplasmically dense cells of incipient lateral root primordia, and in the emergent organ *cyclAAt* was expressed  
10 exclusively in the meristem (Fig. 2, panels *a-d*). Moreover, crucifer roots consisted of long cell files that arise by transverse divisions followed by longitudinal expansion (Dolan *et al.*, *Development*, 119:71, 1993), and within such a contiguous spatial display of sequential cell division phases, *cyclAAt* transcripts accumulated only in large cells immediately prior to cytokinesis, declining to background levels in the adjacent small  
15 daughter cells (Fig. 2, panels *e, f*). A similar, stringent spatio-temporal relationship of cyclin expression and mitosis was observed in Antirrhinum shoot apical meristems (Fobert *et al.*, *EMBO J.*, 13:616, 1994).

The close correlation between *cyclAAt* expression and cell division during growth of the root apical meristem and the initiation of lateral roots, together with the  
20 pattern of *cyclAAt* promoter activity deduced from the expression of *cyclAAt::uidA* gene fusions in transgenic Arabidopsis (Ferreira *et al.*, *Plant Cell*, 6:1763, 1994), suggested that cyclin abundance might be a key factor regulating root growth and development. To test this hypothesis transgenic Arabidopsis were generated (Bechtold and Pelletier, *Acad. Sci. Paris, Life Sci.*, 316:1194, 1993) containing *cyclAAt* under control of the *cdc2aAt*  
25 promoter. Five transformants were obtained in which the level of *cyclAAt* mRNA in untreated roots exceeded that observed in IAA-stimulated roots of wild-type plants (Fig. 1, panel *c*), and these lines were chosen for further study.

An *NheI* site was introduced in the third codon of the *cyc1aAt* cDNA by *in vitro* mutagenesis and this open reading frame subsequently ligated to the *cdc2aAt* promoter with an *in vitro* generated *XbaI* site at codon 3. This fragment was ligated into pBiB-Hyg (Becker *et al.*, *Pl. Mol. Biol.*, 20:1195, 1992) and transfected into *Agrobacterium tumefaciens* GV3101 (Koncz and Schell, *Mol. Gen. Genet.*, 204:383, 1986). *Arabidopsis thaliana* (*A. thaliana*) (ecotype Columbia) was transformed by vacuum infiltration (Bechtold *et al.*, *supra*), and transgenic seedlings (T0 generation) were selected on MS plates containing 30  $\mu$ g/ml hygromycin. 52 independent transgenic lines were obtained and elevated levels of *cyc1aAt* mRNA were detected in 9 of the 11 lines analyzed in detail. Growth assays were performed on heterozygous T1 and homozygous T2 progeny as indicated.

Figure 3 shows increased root growth rate in *Arabidopsis* ectopically expressing *cyc1aAt* cyclin. Panel a, Wild-type (*left*) or transgenic line 6A (T1 generation) containing the *cdc2aAt::cyc1aAt* gene fusion (*right*). *Arabidopsis* seed were plated on MS (3% sucrose) agar and grown in a vertical orientation for 7 d. Plants transformed with the vector alone or with unrelated promoter::*uidA* constructs or with a *cdc2aAt::cyc1aAt* fusion in which the *cdc2aAt* 5' untranslated leader was interrupted by a DS transposon insertion did not show this phenotype. Panel b, wild-type (*left*) or transgenic line 6A (T1 generation) (*right*) 6 d after IAA induction of lateral roots. One week-old seedlings grown hydroponically were treated with 10  $\mu$ M IAA<sub>eff</sub> to stimulate lateral root development.

Strong expression of the *cdc2aAt::cyc1aAt* transgene caused a marked increase in the rate of organized root growth (Fig. 3, panel a). Homozygous or heterozygous seed were plated on MS agar and plants grown in vertical orientation for 7 days with a 16h day/ 8 h night schedule at 22°C. Four images of each plate were acquired with a Speedlight Platinum frame grabber (Lighttools Research) at 24 h intervals and root growth analyzed with NIH-Image by measuring the displacement of root apices. Following growth analysis, roots from 10 plants of each class were collected and RNA analyzed. To measure cell sizes, roots were cleared by overnight incubation in saturated

chloral hydrate, visualized with Normarski optics, photographed and analyzed with NIH-Image. Statistical analysis (t-test with unpaired variances) was performed with MS Excel. Root growth in IAA-treated plants was assessed 3 and 6 d after induction by determination of fresh weight of roots excised from liquid-grown plants and then dry weight following lyophilization for 24 h. Total DNA was extracted from dried material (Ausubel *et al.*, *supra*).

In heterozygous T2 progeny, increased growth rate, measured by displacement of the apex of the main root in time-lapse photography, strictly co-segregated with transgene expression and individuals lacking the transgene grew at the same rate as wild-type plants (Table 1). The average size of epidermal, cortical, endodermal and pericycle cells was equivalent or slightly reduced in *cdc2aAt::cyc1aAt* transformants compared to wild-type plants (Table 2), and hence increased growth reflects increased cell number rather than cell size. The pattern of spontaneous lateral root initiation and overall root morphology were indistinguishable in wild-type and transgenic plants (Fig. 3, panel a). When treated with 1  $\mu$ M IAA, which induces well-separated lateral root primordia, the frequency of primordia initiated per unit length of the main roots was not altered (mean of 1.08 initials/mm with a standard deviation of 0.09 in wild-type compared with 1.14 $\pm$ 0.07 and 1.09 $\pm$ 0.13 in the two transgenic lines examined). However, growth and development of lateral roots following induction by 10  $\mu$ M IAA, was markedly accelerated in the *cdc2aAt::cyc1aAt* transformants, giving rise to a much enlarged root system (Fig. 3, panel b). Enhanced root growth in *cdc2aAt::cyc1aAt* plants following IAA treatment superficially resembles the *alfl* phenotype (Celenza *et al.*, *Genes & Development*, 9:2131, 1995) and these plants have elevated levels of *cyc1aAt* transcripts but in contrast to *cdc2aAt::cyc1aAt* transformants, *alfl* plants initiate supernumerary lateral roots. The several-fold greater gain of fresh weight in IAA-treated *cdc2aAt::cyc1aAt* plants compared to equivalent wild-type controls was accompanied by marked increased in DNA content and dry weight (Table 3). Confocal microscopy confirmed that the enhanced growth response to IAA, which was also observed in several

lines showing weaker *cdc2aAt::cycl1aAt* expression, did not reflect transgene stimulation of cell vacuolation or elongation. Thus, ectopic cyclin expression enhances root growth by stimulation of cell division activity in meristems, thereby increasing the rate of cell production without altering meristem organization.

5           The data above indicate that *cdc2aAt::cycl1aAt* expression is sufficient to enhance growth from established apical meristems, suggesting that cell cycle activity regulates meristem activity. However, the failure to induce gratuitous organ primordia by ectopic expression of *cycl1aAt* under control of the *cdc2aAt* promoter implies additional control points in the generation of a new apical meristem, either through post-  
10 translational regulation of cyclin-dependent protein kinase activity or the operation of parallel regulatory pathways. In most animal cells, the commitment to cell division occurs late in G1 (Pardee, A.B., *Science*, 246:603, 1989), and cyclin D1 and cyclin E are rate-limiting for G1 progression in cultured cells (Ohtsubo and Roberts, *Science*, 259:1908, 1993; Quelle *et al.*, *Genes Dev.*, 7:1559, 1993; Resnitzky and Reed, *Mol. Cell Biol.*, 15:3463, 1995). Elevated levels of cyclin D1 are observed in several tumors  
15 (Motokura *et al.*, *Nature*, 350:512, 1991; Rosenberg *et al.*, *Proc. Natl. Acad. Sci. USA*, 88:9638, 1991; Withers *et al.*, *Mol. Cell Biol.*, 11:4864, 1991) and ectopic expression in transgenic mice promotes hyperplasia and adenocarcinomas (Wang *et al.*, *Nature*, 369:669, 1994).

20           In contrast, ectopic expression of *cycl1aAt* did not result in neoplasia but stimulated organized growth, without altering meristem organization or size as monitored by confocal microscopy. Moreover, morphology of the transgenic plants was not altered and increased growth was accompanied by accelerated organ development. Thus, cyclin expression is a crucial, limiting upstream factor in an intrinsic regulatory hierarchy  
25 governing meristem activity, organized growth and indeterminate plant development. This regulatory hierarchy, which is distinctly different from that in animals, where determinate development limits proliferative growth, exemplified by the strict morphogenetic control of cell division during muscle differentiation (Halevy *et al.*,

*Science*, 267:1018, 1995; Skapek *et al.*, *Science*, 267:1022, 1995), may underlie the striking plasticity of plant growth and development (Drew, M.C., *New Phytol.*, 75:479, 1975). Cyclin abundance may function as a rheostat to allow flexible growth control in response to changes in the environment such as nutrient availability.

Table 1  
Root apical growth

Plant line		Rate [ $\mu\text{m}\cdot\text{h}^{-1}$ ]	% of wild-type	n
Col-0	(-)	254.1	100	57
2A5	(-)	253.1	99.6	56
3A	(+)	341.4*	134.4	20
3A	(-)	259.4	102.1	30
4A3	(+)	291.6*	114.8	47
6A	(+)	354.1*	139.5	20
6A	(-)	252.4	99.3	16
7A	(+)	344.9*	135.7	24
7A	(-)	249.8	98.3	19
8A	(+)	335.4*	131.9	21
8A	(-)	258.6	101.8	31
11A1	(-)	258.8	101.8	45
2A5	(-)	253.1	99.6	56

5 Table 1 shows a comparison of root apical growth rates. Plant line = independent transformants (except for Col-0). (+) = plants that show enhanced growth phenotype due to presence of adequate levels of cyclin-encoding nucleic acid. (-) = plants that have lost introduced cyclin-encoding nucleic acid or do not exhibit sufficient cyclin expression for enhanced growth. Rate = rate of displacement of root apex per unit time. (\*denotes values significantly different from Wild-Type growth rate.) n = number of individual plants analyzed.

Table 2

Cell Type	Plant line					
	Col-0 (wild type)		7A (transgenic)		8A (transgenic)	
	Size [ $\mu\text{m}$ ]	n	Size [ $\mu\text{m}$ ]	n	Size [ $\mu\text{m}$ ]	n
Epidermis	137	37	129	34	158	12
Cortex	159	31	135*	7	160	9
Endodermis	109	23	90*	22	107	11
Pericycle	73	26	67	19	71	57

Table 3

Growth of seedling root system

Plant line	Fresh weight [mg]		Dry weight [mg]		DNA per root [ $\mu\text{g}$ ]	
	3d	6d	3d	6d	3d	6d
Col-0	11	25	1.7	2.4	5	14
4A3	31	136	4.5	15.4	8	35
6A	30	155	4.2	19.3	10	46
7A	24	156	3.5	16.8	9	38
8A	18	134	2.5	12.8	8	33

Table 2 shows a comparison of cell size; and Table 3 shows a comparison of root growth after IAA treatment in wild-type and in transgenic *Arabidopsis* lines containing the *cdc2aAt::cycl1aAt* gene fusion. The lines 3A, 6A, 7A, 8A are heterozygous T1 populations with more than one introduced transgene; (+) denotes plants with increased *cycl1aAt* transcript levels, (-) plants with wild-type *cycl1aAt* transcript levels. The following T2 lines are homozygous for *cdc2aAt::cycl1aAt*: 2A5, 4A3 and 11A1; constitutive *cycl1aAt* expression in 4A3, but not in 2A5 and 11A1, exceeds IAA-induced wild-type levels (Fig. 1). n, number of plants analyzed. \*, means that are significantly different from the wild-type; for a,  $P < 0.001$ , for b,  $P < 0.01$ . Fresh weight = weight of freshly excised root system. Dry weight = weight after 24 hours of drying.

One aspect of cyclin overexpression in the *CDC2a::cycl1aAt* transgenic plants is its role in stimulating cyclin-dependent kinase (CDK) complex activity. Cyclins function to activate the catalytic subunit of such complexes. Several lines of genetic evidence indicate that specific cyclin genes largely differ in their regulation during the

cell cycle, but not in their biochemical ability to activate kinase activity. This evidence indicates that structurally divergent cyclins can functionally substitute for each other. First, the budding yeast genome encodes for only one catalytic subunit of the cyclin-dependent kinase gene family (CDC28) involved in governing cell cycle progress. However, it encodes for at least 9 cyclins which are only distantly related by structure but which nonetheless all activate CDK activity after associating with the p34cdc28 protein encoded by CDC28. Second, Drosophila or human cyclin genes have been isolated by way of complementation of a triple yeast G1 cyclin (CLN) knockout strain. Not only were animal G1 cyclins isolated but mitotic cyclins were isolated as well. Recent research has also shown that yeast CLB or mitotic type cyclins can bypass the requirement for CLN cyclins.

Taken together, these observations demonstrate that distinctly regulated, and structurally only very distantly related cyclins (some of these share only 19% homology) substitute for one another such that they are able to activate cyclin-dependent kinase activity by association with the catalytic subunit, albeit with varying degrees of efficiency. Thus, plant cyclins in general have the inherent property of enhancing root and plant growth by virtue of their capacity to associate with endogenous proteins encoded by CDK homologous genes, and therefore the present invention applies to other plant cyclins beyond cyclinA<sub>At</sub>.

Figure 6 shows a Northern blot analysis that shows elevation of endogenous levels of cyclins following treatment of roots with the growth-stimulatory hormone auxin. The blot shows that 5 different mitotic cyclin genes and one G1 cyclin gene were all expressed at elevated levels upon auxin (IAA) treatment which in due course leads to the initiation of a new root. The induction of many endogenous cyclin genes following growth stimulation leads to the conclusion that the regulatory pathways controlling growth in plants enhance cyclin expression levels in general. Thus, cell division enhancement in the course of growth stimulation is not likely a unique property of expressing a specific cyclin gene or enhancing the level of its protein product.

The emerging picture that cyclins exist in even larger gene families in plants than in yeast or animals is not unexpected (Renaudin *et al. Plant Mol. Biol.* [1996] 32 1003-1018). Regulatory genes in plants tend to exist in large, distinctly regulated gene families. For example, the regulatory genes controlling pigment (anthocyanin) synthesis constitute gene families. Most of the bright red and blue colors found in higher plants are anthocyanins. Using corn as an example for the rest of the plant world, crucial regulatory genes of the helix-loop-helix class (R, B, Lc) and of the myb class (C1, P1) are required to stimulate transcription of the biosynthetic genes of the anthocyanin pathway. These regulatory genes are functionally redundant, in other words they can replace each other. However in maize, they are regulated differentially, such that P1 is required for anthocyanin pigmentation in the vegetative tissue of the plant, and is sensitive to light intensity, whereas C1 operates in reproductive tissues and operates constitutively. Similar properties hold for the R, B, Lc family. Constitutive expression of the maize R-gene suffices to induce ubiquitous anthocyanin biosynthetic genes and pigment accumulation in the heterologous plant *Arabidopsis* (Lloyd AM *et al. Science*, [1992] 258 1773-1775).

Another example for complex regulatory gene families in plants are the members of the calmodulin-like domain protein kinase gene family (Hrabak *et al. Plant Mol. Biol.* [1996] 31 405-412). At least 12 such genes are now known in *Arabidopsis*. These enzymes are all activated by calcium, but their expression patterns in the plant are quite distinct.

Taken together, plants have evolved complex multi-gene families of regulatory genes that are functionally, i.e. biochemically, redundant, but differentially regulated. Thus, structurally divergent members of gene families combine a common biochemical activity with differential regulation likely to enable the plant to appropriately respond to environmental and developmental cues.

## EXAMPLE 2

A 2.8 kb HindIII fragment including approximately 1.2 kb of upstream sequence and genomic sequence corresponding to the first 306 amino acids encoded by the *cycB1a;At* gene was isolated. 3' deletions of this fragment were generated by exonuclease III treatment and a 1.8 kb fragment that included promoter sequence and coding sequence up to amino acid 116 was selected to generate a translational fusion to  $\beta$ -glucuronidase (GUS). Subsequently, a series of nested 5' deletions was generated. The plasmids described here terminated at 351, 286, 205, 120, 60 and 9 bp, respectively, upstream of the transcription start site. The resulting series of constructs (Figure 5) were cloned into the KpnI-SacI sites of the pBIB transformation vector (Becker et al., (1990), Nucl. Acids Res. 18:203) and subsequently introduced into tobacco BY2 cells and *Arabidopsis* plants by *Agrobacterium*-mediated transformation (An, G., (1985), Plant physiol., 568-570; Bechtold et al., (1993), C.R. Acad. Sci. Paris, Life Sci. 316:1194-1199).

To establish a synchronized cell population, *N. Tabacum* BY2 (pCDG) cells were arrested in S phase with the DNA polymerase inhibitor Aphidicolin (APC) (Kodama and Komamine, (1995), Meth. Cell Biol. 49:315-329). Following release from cell cycle arrest, samples were withdrawn every hour for RNA analysis. In cells transformed with the -1148 or -351 cyclin promoter-GUS construct, RNA abundance increased approximately 50-fold as cells entered M-phase. However, in cells transformed with cyclin promoters deleted to -286 or -205, RNA abundance increased approximately 200-fold as cells entered M-phase (Figure 4). Further removal of 5' sequences substantially reduced the amplitude of cyclin induction (-120, -60 deletions), until cell cycle-regulated expression was lost after deletion to -9. Therefore, the DNA sequence between -351 and -286 comprises a binding motif for a cognate protein with repressor function, the sequence between -205 and -60 comprises an activator motif and sequences between -60 and -9 are responsible for cell cycle regulation. Utilization of a cyclin promoter deleted

to -286 or -205 therefore provides a method to deliver increased levels of a desired gene of interest specifically at G2/M.

5 The XhoI site present within the third cyclin exon was used to exchange the *E.coli UidA* coding sequence with the remainder of the cyclin cDNA. A series of constructs with 5'-deleted promoters was used to transform *Arabidopsis* and evaluate the growth properties of the resultant plants. Nine out of 13 independent transgenic lines that have elevated steady state levels of *cycB1a;At* mRNA show a 10-25% increase of root growth rate, as well as increased fresh weight and dry mass but no cell size. When grown on soil, overall plant growth, specifically the rate of leaf growth is dramatically enhanced, 10 although neither final size of the plant nor flowering time are strongly affected. Thus, increased growth early during leaf development results in a cumulative positive effect on plant growth, presumably because photosynthate can be supplied to sink tissues earlier than in non-transformed controls. Enhanced growth is orderly, with no differences in organ morphology and with no evidence for neo- or hyperplasia.

15

The foregoing description of the invention is exemplary for purposes of illustration and explanation. It should be understood that various modifications can be made without departing from the spirit and scope of the invention. Accordingly, the following claims are intended to be interpreted to embrace all such modifications.

What is claimed is:

1. A method of producing a genetically modified plant characterized as having increased growth and yield as compared to the corresponding wild-type plant, said method comprising:  
    contacting a plant cell with a nucleic acid sequence comprising a regulatory sequence, wherein said regulatory sequence is operably associated with a nucleic acid encoding a cyclin protein, to obtain a transformed plant cell;  
    producing plants from said transformed plant cell; and  
    selecting a plant exhibiting said increased yield.
2. The method of claim 1, wherein the genetically modified plant exhibits increased root growth.
3. The method of claim 1, wherein the genetically modified plant exhibits increased shoot growth.
4. The method of claim 1, wherein the cyclin is cyclinAAt.
5. The method of claim 1, wherein the regulatory sequence comprises a cycB1a;At promoter.
6. The method of claim 5, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1.

7. The method of claim 6, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -1148.
8. The method of claim 6, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -286.
9. The method of claim 6, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -205.
10. The method of claim 1, wherein the contacting is by physical means.
11. The method of claim 1, wherein the contacting is by chemical means.
12. The method of claim 1, wherein the plant cell is selected from the group consisting of protoplasts, gamete producing cells, and cells which regenerate into whole plants.
13. The method of claim 1, wherein said nucleic acid is contained in a T-DNA derived vector.
14. A plant produced by the method of claim 1.
15. Plant tissue derived from a plant produced by the method of claim 1.
16. A seed derived from a plant produced by the method of claim 1.

17. A transformed plant cell comprising a chimeric nucleic acid sequence comprising:  
a cycB1a;At regulatory sequence operably linked to a heterologous nucleic acid sequence.
18. The transformed plant cell of claim 17, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1.
19. The transformed plant cell of claim 18, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -1148.
20. The transformed plant cell of claim 18, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -286.
21. The transformed plant cell of claim 18, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -205.
22. A transgenic plant comprising a heterologous nucleic acid sequence regulated by a regulatory sequence of cycB1a;At wherein the regulatory sequence is operably linked to the heterologous nucleic acid sequence.
23. The transgenic plant of claim 22, wherein the regulatory sequence has the sequence set forth in SEQ ID NO:1.

24. The transgenic plant of claim 23, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -1148.
25. The transgenic plant of claim 23, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -286.
26. The transgenic plant of claim 23, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -205.
27. An isolated nucleic acid sequence comprising a functional *cycB1a;At* regulatory sequence.
28. The sequence of claim 27, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1.
29. The sequence of claim 28, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -1148.
30. The sequence of claim 28, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -351.

31. The sequence of claim 28, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -286.
32. The sequence of claim 28, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -205.
33. The sequence of claim 28, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -120.
34. The sequence of claim 28, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -60.
35. A nucleic acid sequence comprising a functional *cycB1a;At* regulatory sequence, operably linked to a nucleic acid sequence encoding a cyclin protein.
36. A vector containing the nucleic acid sequence of claim 27 or 35.
37. The nucleic acid sequence of claim 35, wherein said regulatory sequence comprises the sequence set forth in SEQ ID NO:1.
38. The nucleic acid sequence of claim 37, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -1148.

39. The nucleic acid sequence of claim 37, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -351.
40. The nucleic acid sequence of claim 37, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -286.
41. The nucleic acid sequence of claim 37, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -205.
42. The nucleic acid sequence of claim 37, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -120.
43. The nucleic acid sequence of claim 37, wherein the regulatory sequence comprises the sequence set forth in SEQ ID NO:1 from about nucleotide -1 to about nucleotide -60.

FIG. 1A

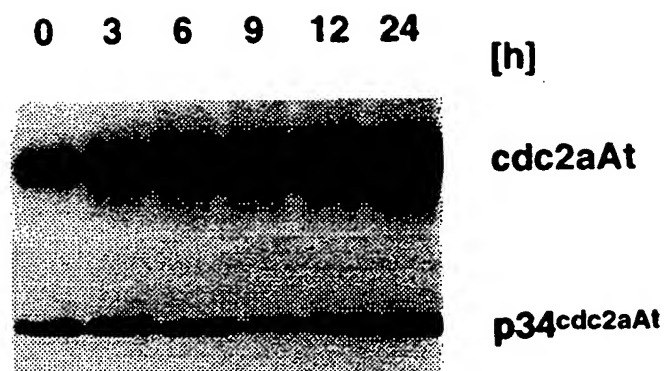


FIG. 1B

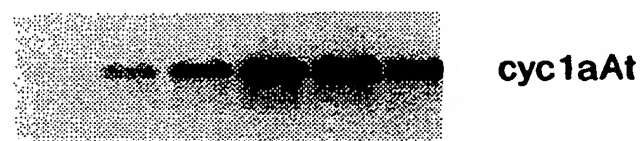


FIG. 1C

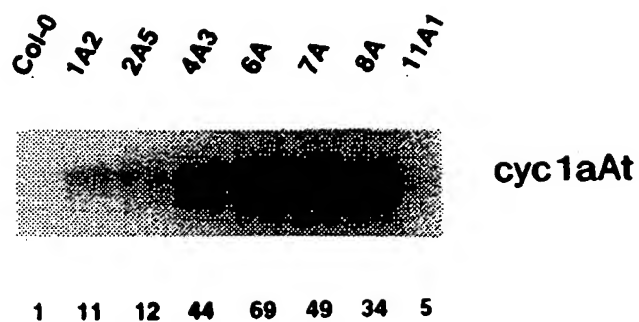




FIG. 2A



FIG. 2B

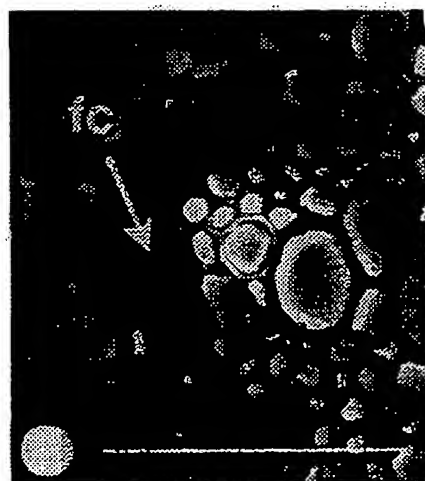


FIG. 2C

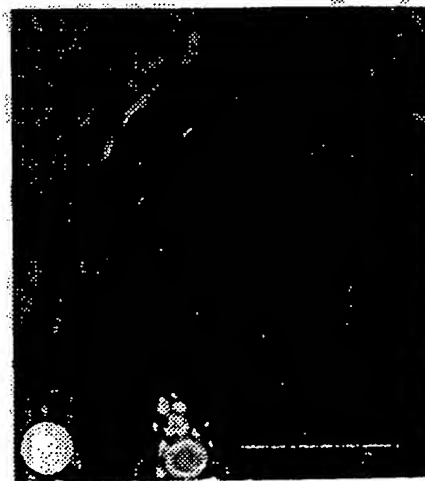


FIG. 2D



FIG. 2E

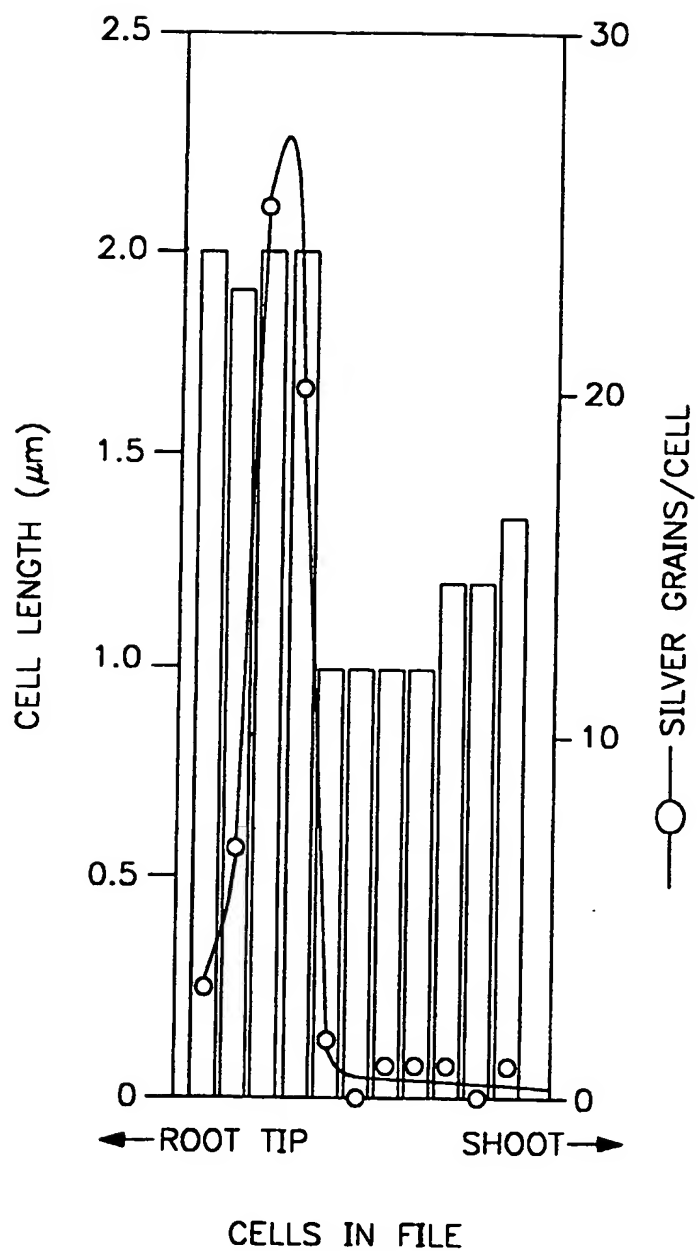
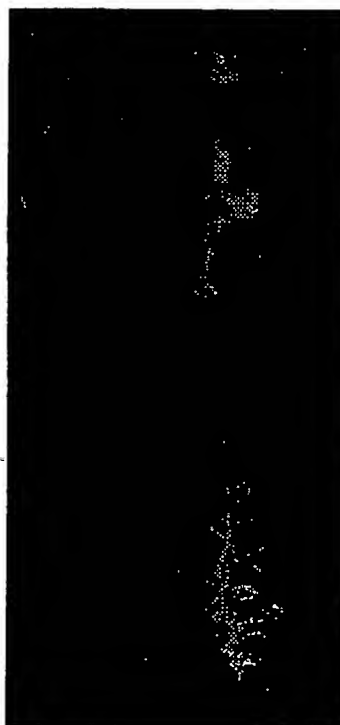


FIG. 2F



**FIG. 3A**



**FIG. 3B**

## SEQUENCE LISTING

<110> The Salk Institute for Biological Studies

<120> METHOD OF INCREASING GROWTH AND YIELD IN  
PLANTS

<130> SALK2610WO

<140> PCT/US99/-----

<141> 03 December 1999

<150> 09/205,734

<151> 04 December 1998

<160> 1

<170> FastSEQ for Windows Version 4.0

<210> 1

<211> 9

<212> PRT

<213> Arabidopsis thaliana

<400> 1

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1 5

## INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US99/28765**A. CLASSIFICATION OF SUBJECT MATTER**

IPC(7) : C12N 15/00, 15/29, 15/82; A01H 3/00, 4/00, 5/00

US CL : 800/278, 295, 298; 435/419, 468, 320.1; 536/23.6, 24/1

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 800/278, 295, 298; 435/419, 468, 320.1; 536/23.6, 24/1

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

WEST, STN, CABA, CAPLUS, AGRICOLA, BIOSIS, GENBANK, SCISEARCH

search terms: cyclin, plant transformation, cell culture, cycA1, cycB1

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 5,750,862 A (JOHN et al.) 12 May 1998, see entire document.	1-43
Y	FERREIRA et al. Control of cell proliferation during plant development. Plant Molecular Biology. 1994, Vol. 26, pages 1289-1303, see entire document.	1-43
Y	HEMERLY et al. Genes regulating the plant cell cycle: Isolation of a mitotic-like cyclin from Arabidopsis thaliana. Proc. Natl. Acad. Sci. USA. April 1992, Vol. 89, pages 3295-3299, see entire document.	1-43

☐ Further documents are listed in the continuation of Box C.☐ See patent family annex.

*A*	document defining the general state of the art which is not considered to be of particular relevance	*T*	later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
*B*	earlier document published on or after the international filing date	*X*	document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
*L*	document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*Y*	document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
*O*	document referring to an oral disclosure, use, exhibition or other means	*A*	document member of the same patent family
*P*	document published prior to the international filing date but later than the priority date claimed		

Date of the actual completion of the international search

23 FEBRUARY 2000

Date of mailing of the international search report

20 MAR 2000

Name and mailing address of the ISA/US  
Commissioner of Patents and Trademarks  
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CycB patenter oversight

21. Method of increasing growth and yield in plants  
PAT 12-26-00 06166293 NDN- 217-0390-7883-3

INVENTOR(S)- Doerner, Peter W.; Lamb, Christopher J.; Colon-Carmona, Adan

PATENT NUMBER- 06166293

PATENT APPLICATION NUMBER- 205734

DATE FILED- 1998-12-04

PATENT DATE- 2000-12-26

NUMBER OF CLAIMS- 43

EXEMPLARY CLAIMS- 1

FIGURES- 6

ART/GROUP UNIT- 169

PATENT CLASS- Invention (utility) patent

INVENTOR COUNTRY/ZIPCODE- .; GBX; .

PATENT ASSIGNEE(S)- The Salk Institute for Biological Studies

ASSIGNEE CITY- La Jolla

ASSIGNEE STATE- CA

ATTORNEY, AGENT, OR FIRM- Knobbe, Martens, Olson & Bear LLP

U.S. PATENT CLASS- 8002900000

U.S. CLASSIFICATION REFS.- X800278000; X800295000; X800298000; X536024100; X536023600; X435419000; X435172300; X435468000

INTERNATIONAL PATENT CLASS- 7C12N01500; C12N01529; C12N01582; A01H 00400

PATENT REFERENCE(S)- 5750862

Provided is a method of producing a genetically modified plant characterized as having increased growth and yield as compared to a corresponding wild-type plant comprising increasing the level of cyclin expression in the plant. The methods include providing a modified nucleic acid regulatory sequence from cycB1a;At resulting in increased gene transcription and expression. Also provided are modified nucleic acid regulatory sequences. Genetically modified plants characterized as having increased growth and yield are also provided.

EXEMPLARY CLAIMS- Claim- 1. A method of producing a genetically modified plant characterized as having increased growth and yield as compared to the corresponding wild-type plant, said method comprising: contacting a plant cell with a nucleic acid sequence comprising a functional cycB1a;At regulatory sequence, wherein said regulatory sequence is operably associated with a nucleic acid encoding a cyclin protein, to obtain a transformed plant cell; producing plants from said transformed plant cell; and selecting a plant exhibiting said increased yield.

50. METHOD OF INCREASING GROWTH AND YIELD IN PLANTS  
PCT 06-08-00 00032760 WO NDN- 172-0031-5145-0

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DATE FILED- 1999-12-03  
PUBLICATION NUMBER- 00032760 WO  
DOCUMENT TYPE- A1  
PUBLICATION DATE- 2000-06-08  
PATENT PRIORITY INFO- 09/205,734, 1998-12-04, United States of Ame  
rica  
ATTORNEY, AGENT, OR FIRM- HAILE, Lisa, A., Gray Cary Ware & Friede  
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INTERNATIONAL PATENT CLASS- C12N; 15/00; 15/29; 15/82; A01H; 3/00;  
4/00; 5/00  
PCT APP. NO.- PCT/US99/28765  
FILING LANGUAGE- English  
LANGUAGE- English

Provided is a method of producing a genetically modified plant cha  
racterized as having increased growth and yield as compared to a c  
orresponding wild-type plant comprising increasing the level of cy  
clin expression in the plant. The methods include providing a modi  
fied nucleic acid regulatory sequence from cycB1a;At resulting in  
increased gene transcription and expression. Also provided are mod  
ified nucleic acid regulatory sequences. Genetically modified plan  
ts characterized as having increased growth and yield are also pro  
vided.

DESIGNATED COUNTRY(S)- AE; AL; AM; AT; AU; AZ; BA; BB; BG; BR; BY;  
CA; CH; CN; CR; CU; CZ; DE; DK; DM; EE; ES; FI; GB; GD; GE; GH; G  
M; HR; HU; ID; IL; IN; IS; JP; KE; KG; KP; KR; KZ; LC; LK; LR; LS;  
LT; LU; LV; MA; MD; MG; MK; MN; MW; MX; NO; NZ; PL; PT; RO; RU; S  
D; SE; SG; SI; SK; SL; TJ; TM; TR; TT; TZ; UA; UG; UZ; VN; YU; ZA;  
ZW; GH; GM; KE; LS; MW; SD; SL; SZ; TZ; UG; ZW; AM; AZ; BY; KG; K  
Z; MD; RU; TJ; TM; AT; BE; CH; CY; DE; DK; ES; FI; FR; GB; GR; IE;  
IT; LU; MC; NL; PT; SE; BF; BJ; CF; CG; CI; CM; GA; GN; GW; ML; M  
R; NE; SN; TD; TG .

60. METHOD OF INCREASING GROWTH AND YIELD IN PLANTS  
PCT 01-29-98 09803631 WO NDN- 172-0015-3924-2

CycB patenter oversight

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a  
DATE FILED- 1997-07-17  
PUBLICATION NUMBER- 09803631 WO  
DOCUMENT TYPE- A1  
PUBLICATION DATE- 1998-01-29  
PATENT PRIORITY INFO- 08/683,242, 1996-07-18, United States of Ame  
rica  
ATTORNEY, AGENT, OR FIRM- HAILE, Lisa, A., Fish & Richardson P.C.,  
Suite 1400, 4225 Executive Square, La Jolla, CA 92037, United Sta  
tes of America  
INTERNATIONAL PATENT CLASS- C12N; 5/00; 5/04; 15/00; 15/09; 15/29;  
15/63; 15/64; 15/82; A01H; 1/00; 3/00; 4/00; 5/00  
PCT APP. NO.- PCT/US97/12656  
FILING LANGUAGE- English  
LANGUAGE- English

The invention provides a method of producing a genetically modifie  
d plant characterized as having increased growth and yield as comp  
ared to a corresponding wild-type plant comprising increasing the  
level of cyclin expression in the plant. Genetically modified plan  
ts characterized as having increased growth and yield are also pro  
vided.

DESIGNATED COUNTRY(S)- AL; AM; AT; AU; AZ; BA; BB; BG; BR; BY; CA;  
CH; CN; CU; CZ; DE; DK; EE; ES; FI; GB; GE; GH; HU; IL; IS; JP; K  
E; KG; KP; KR; KZ; LC; LK; LR; LS; LT; LU; LV; MD; MG; MK; MN; MW;  
MX; NO; NZ; PL; PT; RO; RU; SD; SE; SG; SI; SK; SL; TJ; TM; TR; T  
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BY; KG; KZ; MD; RU; TJ; TM; AT; BE; CH; DE; DK; ES; FI; FR; GB; G  
R; IE; IT; LU; MC; NL; PT; SE; BF; BJ; CF; CG; CI; CM; GA; GN; ML;  
MR; NE; SN; TD; TG .